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## FACSIMILE COVER SHEET

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**Date:** 15 December 2003

**To:** Examiner Katherine A. Bareford  
US Patent and Trademark Office  
Tel. No. 703-308-0078  
Fax: 703-872-9311

**Subject:** USSN 09/902,055  
Our Ref.: Beiersdorf 730-HCL

**From:** Howard C. Lee

**Comments:** Filing of: Notice of Appeal (in duplicate); Fee Transmittal (in duplicate)

If you have any questions or need further information, please contact us.

You should receive 5 pages including this cover sheet.

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PTO/SB/31(06-03)

Approved for use through 7/31/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**Docket Number (Optional)  
100718-332/Beiersdorf 730 HCL**CERTIFICATE OF FACSIMILE TRANSMISSION**I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on the 15<sup>th</sup> day of December, 2003.Agata Gliniska  
Agata GliniskaIn re Application of  
Klaus Keite-Telgenbuscher et alApplication Number  
09/902,055Filed  
July 10, 2001For  
Method of at least partly coating backing materialsArt Unit  
1762Examiner  
Katherine A. BarefordRECEIVED  
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Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner dated October 28, 2003 finally rejecting claims 1, 3-19.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330.00 ☐

Applicant claims small entity status. See

37 CFR 1.26. Therefore, the fee amount shown above is reduced by half, and the resulting fee is: \$.

- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 14-1263. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.36(a) (PTO/SB/22) is enclosed.

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I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☐ attorney or agent of record. Registration \_\_\_\_\_
- ☒ attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) 48,104

December 15, 2003

Date

(212) 808-0700

Telephone Number

Howard C. Lee

Signature

Howard C. Lee

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

- ☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.8. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the mode of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SSB/17 (10-03)  
Approved for use through 07/31/2006. OMB 0051-0002  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$330.00

## Complete If Known

Application Number 09/002,055  
Filing Date July 10, 2001  
First Named Inventor Telgenbuscher  
Examiner Name Katherine A. Barendorf  
Art Unit 1762  
Attorney Docket No. Biersdorf 730/ 100718-332

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 14-1263

Deposit Account Name Norris, McLaughlin & Marcus

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 365	Utility filing fee	
1002 840	2002 170	Design filing fee	
1003 830	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

### 2. EXTRA CLAIM FEES FOR UTILITY AND

Extra Claims	Fee from below	Fee Paid
Total Claims - 20** = 0 X = 0.00		
Independent Claims - 3** = 0 X = 0.00		
Multiple Dependent		

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 96	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Release independent claims over original patent	
1205 18	2205 9	** Release claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)			\$0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non - English specification	
1812 2,520	1812 2,620	For filing a request for <i>ex parte</i> reexamination	
1904 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 470	Extension for reply within third month	
1254 1,460	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	330.00
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1607 50	1607 50	Processing fee under 37 CFR § 1.17(a)	
1606 160	1606 160	Submission of Information Disclosure Statement	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 800	1802 800	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \$330.00

## SUBMITTED BY

Name (Print/Type) Howard C. Lee

Signature *Howard C. Lee*

Registration No. 45,104  
(Attorney/Agent)

## Complete (if applicable)

Telephone 212-508-0700

Date 15 December 2003

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